



**TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION
MEMPHIS ENVIRONMENTAL FIELD OFFICE**

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**CERTIFIED MAIL: 91 7108 2133 3932 2022 0932
RETURN RECEIPT REQUESTED**

August 2, 2011

Mr. Adam Roberts
Electrolux Major Appliances
10200 David Taylor Dr.
Charlotte, NC 28262

**RE: NOTICE OF DEFICIENCY
Electrolux Major Appliances
City of Memphis, Shelby County**

Dear Mr. Roberts:

The Division of Water Pollution Control (WPC) received your revised submittal for coverage under the Tennessee Construction General Permit (CGP) for construction activities at the above-referenced development/site (new/alternate location) on July 5, 2011. The division understands that Electrolux is applying for NPDES permit coverage for stormwater runoff discharges in association with the construction of the Electrolux manufacturing facility at 3329 Paul R. Lowry Rd, Frank C. Pidgeon Industrial Park, Memphis, TN. Furthermore, it is our understanding that Electrolux's intent is to obtain coverage under both a Tennessee Construction General Stormwater Permit (CGP) and an Individual Stormwater Permit. Electrolux is requesting coverage under both permits due to constraints of their construction schedule. CGP coverage, which restricts disturbed area to 50 acres, will enable construction to begin and progress during the preparation and public notice of the Individual Permit. While the individual permit is generally structured after the CGP, it does not have the disturbed acreage limitation and will contain monitoring and reporting requirements not required by the CGP, as well as other requirements. It is the division's intent to work with Electrolux in expediting both of these permitting options. A copy of the CGP and associated forms can be found on our web site at www.state.tn.us/environment/permits/conststrm.shtml.

The review of the application cannot be completed until the following item(s) are revised and submitted to this office:

☐ Notice of Intent (NOI)

- The total acreage and total disturbed acreage of the site must be included on the NOI.

- The box on the NOI regarding wetlands on-site was not marked. The existence of wetlands regulated by the State of Tennessee is still under review. If jurisdictional wetlands are found to be included within the project boundaries appropriate documentation will need to be submitted.
- Additional information should be included in the “Site Description” field.

☐ Storm Water Pollution Prevention Plan (SWPPP)

- Design drawings must be stamped/signed by a PE/architect (CGP 3.1.1.).
- Initial and final ECPs were submitted showing all 4 phases on a single full size sheet. The division would like each phase of construction shown on separate full size sheets for clarity, readability, and resolution of fine detail. Per Sections 3.5.1.g and 3.5.2 of the new 2011 CGP, there must be a minimum of 3 erosion control plans (ECPs; a minimum of 3 plan sheets) showing initial grading EPSCs, intermediate EPSCs, and final grading EPSCs for each project phase. The ECP also needs to clearly identify the areas of construction during each phase since so much emphasis is going to be on staying within 50 acres of disturbance at any time. The limits of clearing also need to be discussed in the narrative portion of the SWPPP to explain how the contractor will know when it's appropriate to move on to another phase/area. However, based on plans received on July 5th and 27th, the division would like to meet with you to discuss options regarding CGP coverage and how CGP coverage will be transitioned to coverage under the individual permit.
- Please provide additional details regarding vegetative stabilization measures and the schedule of when these measures will be installed. Please include when certain areas will be stabilized using selected measures.
- Drainage calculations were not included in the SWPPP. Drainage calculations clearly demonstrating the relationship between drainage area size, design storm volume, and the required storage volume for each sediment basin must be provided.
- Please provide detailed information regarding the use of polyacrylamides on-site, including but not limited to, product name and where the product will be used (delineated on the erosion control plans).
- Outfalls should be clearly identified on ECP plans and in the SWPPP and other documentation. The division recommends using the 'SW1' or similar nomenclature. Please update the SWPPP and ECPs accordingly.
- The SWPPP has inadequate information regarding the sediment basins that are to be constructed on-site. There is little to no information regarding size, location, when the basins will be installed or how they will be managed, i.e., dewatered, etc. There is also no information about chemical treatment of stormwater that will be contained within each basin. Please update the SWPPP accordingly.

- Page 6 of the SWPPP references one outfall point, but page 24 of the SWPPP references two outfall points. Please clarify, in the SWPPP and on the erosion control plans, the location of all outfall points.
- Page 28 of the SWPPP does not appear to include a full list of EPSCs such as, but not limited to silt fence, check dams, construction exit or sediment basins. Also, the ECP details sheet did not appear to contain all erosion prevention or sediment controls that are proposed to be used on-site. Please revise the SWPPP and erosion control plan set to include all of the EPSCs proposed for use on the site.
- The SWPPP certification included with the SWPPP contains incorrect language. Section 7.7.5 of the CGP contains the correct certification language. Please revise.
- Page 10 of the SWPPP suggests that access points can be chemically stabilized. Please explain what chemical stabilization means in this context.
- Page 15 of the SWPPP states “Check dams in drainage channels are not usually constructed from straw bales or silt fences, since concentrated flows quickly wash out these materials.” As recommended by TDEC’s Erosion and Sediment Control Handbook, please be aware that straw bales and silt fences **should not be** used in areas of concentrated flow. Please revise the SWPPP accordingly.
- Section 3.4.6 of the SWPPP should be removed, or, at a minimum, revised to indicate the use of hay bales only in conjunction with other control measures, such as silt fence, or as part of an inlet protection system. The use of hay bales alone as an erosion prevention or sediment control measure is not recommended or accepted. Please use TDEC’s Erosion and Sediment Control Handbook as a reference for acceptable measures.
- Page 20 of the SWPPP states that silt fence will be inspected after each rainfall event and also weekly. Please confirm this. Please note that the CGP requires a minimum of twice-weekly inspections of outfalls and EPSCs. Also, please clarify what a qualifying rain event would be. As a reminder, Section 3.5.8 and Section 3.1.2 of the CGP details inspection requirements. Site inspections must meet the requirements of the CGP. Please update your SWPPP accordingly.
- Section 3.1 of the SWPPP states that sediment ponds will be in place prior to construction. While the intent is understood, other EPSCs must be installed initially in order to access the area of the site where the basins will be located. Please clarify and revise the SWPPP and ECP(s) accordingly.
- The SWPPP needs to include a full, complete discussion of the details listed/summarized in Section 2.1. Please revise the SWPPP accordingly.

- Overall the SWPPP is worded as recommendations. The SWPPP should be specific instructions as to how construction activity is going to proceed on-site, not suggestions. Please revise the SWPPP accordingly.

Please be aware that the selected/hired contractor should sign the NOI and SWPPP prior to beginning construction activities on-site.

Additionally, page 1 of the SWPPP states "This SWPPP will be updated when the individual permit is acquired." Please be aware that a final SWPPP must be submitted for review prior to the individual permit being issued. All temporary and permanent point source discharges must be clearly identified in the final SWPPP so that the Division can clearly identify each discharge point in the individual permit. Again, the division prefers that you use the standard "SW1" or similar nomenclature and identify point sources as "outfalls."

Lastly, the NOI and SWPPP bear your signature and title of Project Director. Please confirm that you meet the signatory requirement as outlined in Section 7.7 of the CGP. If not, please obtain and submit to the Division the appropriate original signatures on the NOI, SWPPP, etc.

Please submit the required corrections to the Division of Water Pollution Control, Memphis Environmental Field Office on or before August 15, 2011. A copy shall also be sent to the Nashville Central Office with attention to Mr. Paul Higgins.

Also, please understand that when re-submitting the revised, updated SWPPP/ECPs to correct the deficiencies as listed above, the appropriate parties must resign the certification.

The division understands the importance of this project and continues to be committed to maintaining the highest priority on permitting all Water Pollution Control activities. Please contact Mr. Cliff Caudle at (901) 371-3028 or Cliff.Caudle@tn.gov, or Mrs. Joellyn Brazile at (901) 371-3025 or Joellyn.Brazile@tn.gov at the Memphis Environmental Field Office to schedule a meeting to discuss the submittal and project at your earliest convenience. To discuss any questions you may have with individual permit issues, please contact Mr. Paul Higgins at (615) 532-1178 or Paul.Higgins@tn.gov at our Nashville Central Office.

Sincerely,



Terry R. Templeton, P.G.

Manager

Division of Water Pollution Control

cc: TDEC/WPC/MEFO – file
ec: TDEC/WPC/NCO – file
Mrs. Katherine Terry-Ensafe
Ms. Cara Martin-Pickering